

**567—134.17(455B) Definitions.** As used herein:

“*Board*” means the Iowa comprehensive petroleum underground storage tank fund board.

“*Certificate of noncompliance*” means a document provided by the child support recovery unit certifying that the named obligor is not in compliance with a support order or with a written agreement for payment of support entered into by the unit and the obligor.

“*Child support recovery unit*” means the child support recovery unit created by Iowa Code section 252B.2.

“*Deductible*” means the portion of a claim paid by insureds on the policy issued by the board.

“*Department*” means the Iowa department of natural resources.

“*Inspector*” means a licensed individual who is engaged in the inspection and approval of the installation of new or upgraded underground storage tank systems.

“*Installer*” means a licensed individual or licensed company engaged in the installation of a new underground storage tank system or the upgrading or lining of existing underground storage tank systems.

“*In the aggregate*” means for all claims or suits in a single year seeking damages under an insurance policy issued by the board.

“*Licensed company*” means a person, or company which employs a person who meets all of the qualifications to install, upgrade, repair, test or line underground storage tank systems.

“*Licensed individual*” means an individual who has received a license to perform any of the activities regulated under this chapter.

“*Liner*” means a licensed company or an individual who lines a tank using an acceptable procedure under subrule 134.24(2).

“*Maintenance*” means minor service work to existing equipment, associated with underground storage tank systems, which is installed above grade level and can be observed from grade level. Maintenance does not require licensing.

“*Obligor*” means a natural person as defined in Iowa Code section 252B.1 who has been ordered by a court or administrative agency to pay support.

“*OSHA*” means the Occupational Safety and Health Act.

“*Precision test*” means a tank and line tightness test that meets the requirements in rule 567—135.4(455B).

“*Removal*” means the process of removing and disposing of an underground storage tank system no longer in service or the process of abandoning an underground storage tank system in place, in accordance with rule 567—135.9(455B).

“*Repair*” means modification or correction of any existing portion of an underground storage tank system through such means as replacement of valves, fill pipes, vents, liquid level monitoring systems, and installation of spill and overflow devices, provided the activity occurs above grade, and the maintenance and inspection of the efficacy of cathodic protection devices. Repair does not include activities which are maintenance as defined in this chapter.

“*Self-insured retention*” means the portion of a claim paid by insureds who self-insure a portion of their risk as part of a policy issued by the board. Expenses included as a part of the self-insured retention are the cost of claims settlements or suits, the cost of adjusting, legal fees, court costs and any other investigative cost associated with the claim.

“*Tester*” means a licensed company or individual who tests tanks, lines, leak detection systems, or monitoring systems, using an acceptable procedure under subrule 134.23(2). For the purposes of this definition, an owner, operator or one of their employees performing vapor monitoring, cathodic protection tests, statistical inventory reconciliation or using an automated in-tank gauging device installed at a site location they own or operate shall not be defined as a tester. An owner or operator or one of their employees may also perform volumetric, nonvolumetric or vacuum tests on their own tanks and hydrostatic pressure tests on their own lines, provided they have received certification from the manufacturer or supplier of the system for its usage and the system has been approved by the U.S. EPA.

“*Testing*” means the process of utilizing a system to test underground storage tank systems or any part thereof for tightness, leak detection, cathodic protection or monitoring.

*“Underground storage tank system”* means tank or tanks and associated piping intended to contain and dispense petroleum products and for which proof of financial responsibility is, or on a date definite will be required to be maintained pursuant to the Federal Resource Conservation and Recovery Act, 40 CFR 280, and the regulations in effect on December 31, 1994, adopted pursuant to that Act or successor Acts or amendments.

*“Unit”* means the child support recovery unit created in Iowa Code section 252B.2.

*“U.S. EPA”* means the United States Environmental Protection Agency.

*“Withdrawal of a certificate of noncompliance”* means a document provided by the unit certifying that the certificate of noncompliance is withdrawn and that the licensing authority may proceed with issuance, reinstatement, or renewal of an obligor’s license.